



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Arieh LEVY et al

Serial No.: 10/607,103

Filed: June 27, 2003

For CAROTENOIDS RICH PAPRIKA CULTIVARS

Examiner: Keith Robinson

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Group Art Unit: 1638

Attorney Docket: 25821

## ELECTION

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

This is in response to the United States Patent and Trademark Office Restriction Action mailed February 17, 2005, which response is being made on March 17, 2005, for which no extension of time is due.

Applicants hereby elect the claims of Group I, namely Claims 1-15 and 19-21,  
directed to a paprika plant and method of using said plant.

With respect to the election of species requirement, Applicants select *Capsicum annuum* cv. 1057. Claims 1-6, 8-15 and 19-21 are readable on the selected species.

Applicants reserve the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to any one or more of the non-elected Groups.

Respectfully submitted,

*Al. Bender*

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**March 16, 2005**